

AMENDMENTS TO THE CLAIMS

1-15. (Canceled)

16. (Original) A method of killing a cell that is sensitive to DT-A or PEA, comprising infecting the cell with ~~the~~ an adenovirus of claim 15 produced by a packaging cell line, wherein the cell line is capable of producing adenovirus that expresses the A subunit of diphtheria toxin (DT-A) or Pseudomonas Exotoxin A (PEA), wherein the cell line does not produce replication-competent adenovirus when used in conjunction with non-overlapping E1-deleted adenovirus, wherein the cell line is resistant to DTA and PEA and wherein the cell line has a mutated EF-2 gene.

17. (Original) The method of claim 16, wherein the cell is a cancer cell.

18. (Canceled)

19. (Currently Amended) A method of selectively killing a cell in a subject, comprising administering a therapeutically effective amount of ~~an~~ an ~~[[the]]~~ adenovirus ~~of claim 16~~ to the subject wherein the adenovirus is produced by a packaging cell line, wherein the cell line is capable of producing adenovirus that expresses the A subunit of diphtheria toxin (DT-A) or Pseudomonas Exotoxin A (PEA), and wherein the cell line does not produce replication-competent adenovirus when used in conjunction with non-overlapping E1-deleted adenovirus, wherein the cell line has a mutated EF-2 gene, wherein the adenovirus comprises a tissue-specific promoter or enhancer that controls the expression of the DT-A or PEA wherein the tissue-specific promoter or enhancer that controls the expression of the DT-A or PEA is active only in the cell and not in other cells, thereby killing the cell but not other cells.

20. (Original) The method of claim 19, wherein the cell is a cancer cell.

21. (Canceled)

22. (Currently Amended) A method of treating a subject suffering from cancer comprising administering a therapeutically effective amount of the adenovirus ~~of claim 15~~ to the subject, wherein the adenovirus is produced by a packaging cell line, wherein the cell line is capable of producing adenovirus that expresses the A subunit of diphtheria toxin (DT-A) or Pseudomonas Exotoxin A (PEA), and wherein the cell line does not produce replication-

competent adenovirus when used in conjunction with non-overlapping E1-deleted adenovirus, wherein the cell line has a mutated EF-2 gene and wherein the cell line is resistant to DTA and PEA thereby treating said cancer.

23.-32. (Canceled)

33. (New) The method of any one of claims 16, 19, or 22 ~~33~~, wherein the mutated EF-2 gene encodes an EF-2 protein that is mutated at codon 705.

34. (New) The method of claim 33, wherein the glycine residue at codon 705 of the EF-2 protein is mutated to arginine.

35. (New) The method of claim 16, wherein the cells are resistant to about 10^{-9} M diphtheria toxin.

36. (New) The method of claim 16, wherein the cells contain the adenovirus E1 region.

37. (New) The method of claim 16, wherein the cells contain the adenovirus serotype 5 (Ad5) E1-A and E1-B encoding sequences.

38. (New) The method of claim 16, wherein the cells are derived from PER.C6 cells.